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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RAMAKRISHNA S. BUDAMPATI

Appeal 2010-003492¹
Application 10/800,482
Technology Center 2600

Before JEAN R. HOMERE, ST JOHN COURTENAY III, and
CAROLYN D. THOMAS, *Administrative Patent Judges*.

HOMERE, *Administrative Patent Judge*.

DECISION ON APPEAL

¹ The real party in interest is Honeywell International Inc. (App. Br. 2.)

STATEMENT OF THE CASE

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-23. (App. Br. 4.) We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

Appellant's Invention

Appellant invented a method and system for processing at two independent infrastructure nodes (110, 112) signals (170) received from a wireless sensor node (140). In particular, upon receiving a signal at each of the infrastructure nodes, a module (440) combines the received signals to thereby estimate the signal transmitted by the sensor node. (Spec., ¶ [0024], Fig. 4.)

Illustrative Claim

Independent claim 1 further illustrates the invention as follows:

1. A wireless network of sensor nodes comprising:

multiple first wireless sensor nodes that transmit signals;

multiple independent infrastructure nodes that receive the transmitted signals, wherein the multiple independent infrastructure nodes are spaced from each other and each multiple independent infrastructure node is associated with a different set of wireless sensor nodes, and further wherein at least two infrastructure nodes receive a transmitted signal from a single first wireless sensor node, the single first wireless sensor node associated with one of the at least two infrastructure nodes; and

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a module that combines at least two of the signals received at the multiple independent infrastructure nodes to estimate the signal transmitted by the single first wireless sensor node.

Prior Art Relied Upon

The Examiner relies on the following prior art as evidence of unpatentability:

Ziv	US Patent App. Pub. No.: 2001/0018347 A1	Aug. 30, 2001
Oestreich	US 6,445,910 B1	Sep. 3, 2002
Smee	US 6,990,137 B2	Jan. 24, 2006 (Filed May 17, 2001)
Warrior	US 7,242,294 B2	Jul. 10, 2007 (Filed Mar. 17, 2003)

Rejections on Appeal

The Examiner rejects the claims on appeal as follows:

1. Claims 1, 2, 5, 6, 9, 10, 13, and 15-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Oestreich and Warrior.
2. Claims 3, 4, 11, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Oestreich, Warrior, and Ziv.
3. Claims 7, 8, 14, 22, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Oestreich, Warrior, and Smee.

ANALYSIS

We consider Appellant's arguments *seriatim* as they are presented in the principal Brief, pages 11-15.

Representative Claim 1

Dispositive Issue: Has Appellant shown that the Examiner erred in finding that Oestreich and Warrior are properly combined to teach or suggest *a sensor node transmitting signals to a plurality of infrastructure nodes*, as recited claim 1?

Appellant argues that the Examiner erred in finding that Oestreich and Warrior are properly combined to render claim 1 unpatentable because the teachings of Warrior are not applicable to Oestreich. (App. Br. 13.) In particular, Appellant argues that Warrior's disclosure of associating multiple sensors with a single access point is not applicable to Oestreich's mobile device communication network, which has no needs to sense detailed measurements about a particular environment. (*Id.*) According to Appellant, if Warrior's stationary sensors and access points were applied to Oestreich, the mobile devices of Oestreich would become stationary thereby rendering Oestreich's communication system ineffective. (*Id.* 14.) In response, the Examiner finds that Oestreich's disclosure of a wireless network wherein two base stations receiving signals from a single mobile station, taken in combination with Warrior's disclosure of a sensor node being associated with at least two infrastructure nodes, teaches or suggests the disputed limitations. (Ans. 8.) Further, the Examiner finds the proposed combination

proper because both references are concerned with establishing communication within a wireless network, and that Warrior's wireless sensors would complement Oestreich's disclosure to yield the claimed invention. (Ans. 8-9.)

On the record before us, we agree with the Examiner's underlying factual findings and ultimate legal conclusion of obviousness. We note at the outset that Appellant agrees with the Examiner's finding that Warrior discloses a single wireless sensor node associated with at least two infrastructure nodes. (App. Br. 12.) Further, we note that Appellant does not dispute the Examiner's finding that Oestreich discloses a wireless communication network wherein a single mobile station node transmits signals to two base stations. (*Id.* at 13.) However, Appellant argues that these teachings are incompatible because Warrior needs no hand off between the sensor nodes and the access nodes, and conversely, Warrior's stationary sensors would render Oestreich's mobile devices stationary. (Reply Br. 2-3.)

We find this argument unpersuasive because, as pointed out by the Examiner, both Warrior and Oestreich pertain to a wireless communication network that enables mobile devices to communicate with one another. (Ans. 9.) We thus find the proffered combination would only require a mere rearrangement of prior art elements performing their ordinary functions to predictably result in a wireless communication system wherein a sensor node transmits signals to two infrastructure nodes. In other words, we agree with the Examiner that it would have been obvious to one of ordinary skill in the art to substitute Oestreich's single mobile station and base stations with

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Warrior's sensor node and infrastructure nodes, respectively, to thereby yield a single sensor node transmitting signals to two infrastructure nodes.

Further, we do not agree with Appellant that such a substitution would render Oestreich's mobile device stationary because the record before us is devoid of any evidence to suggest that Warrior's sensors impede upon the mobility of such devices in the disclosed wireless network. Therefore, we find unavailing Appellant's argument that there is no likelihood of success for the proposed combination. (App. Br. 14.) We are therefore satisfied that the ordinarily skilled artisan would have found adequate rationale to combine the cited references to thereby teach the disputed limitations. It follows that Appellant has not shown error in the Examiner's rejection of claim 1.

Because claims 2-23 are not argued separately, they fall together with claim 1 for the same reasons discussed above. See 37 C.F.R. § 41.37 (c)(1)(vii).

DECISION

We affirm the Examiner's rejections of claims 1-23 as set forth above.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

Vsh